

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

ERIC FRANKENHAUSER
ADC #157660

PLAINTIFF

V.

No. 2:20CV00032-JM-JTR

McDONALD, Provider, EARU, *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Recommendation submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Recommendation is approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Eric Frankenhauser may PROCEED with his inadequate medical care and corrective inaction claims against Provider Converse, Provider G. Kerstein, Nurse Esther Pilgrim, Nurse/Assistant Medical Director A. Douglas, Provider/Nurse Tracy Bennett, Provider McDonald, Provider P. Drummond, Health Service Administrator G. Recheigl, and Warden R. Branch.

2. Sergeant Arnett and Warden G. Lay are DISMISSED, WITHOUT PREJUDICE, as defendants in this lawsuit.

3. The Clerk is directed to prepare a summons for Converse, Kerstein, Pilgrim, Douglas, Bennett, McDonald, Drummond and Recheigl. The United States Marshal is directed to serve the summons, Complaint and Amended Complaint (Doc. Nos. 2 & 6), and this Order, on these Defendants through the Humphries, Odum & Eubanks law firm without prepayment of fees and costs or security therefor.

4. The Clerk is directed to prepare a summons for Branch. The United States Marshal

is directed to serve the summons, Complaint and Amended Complaint (Doc. Nos. 2 & 6), and this Order, on Branch through the ADC Compliance Division without prepayment of fees and costs or security therefor.¹

5. It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 19th day of June, 2020.


UNITED STATES DISTRICT JUDGE

¹If any defendant is no longer employed by the ADC or its healthcare provider, the individual responding to service must file a **sealed statement** providing the unserved defendant's last known private mailing address.